

# The United States and the OAS



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*Following is a statement by Luigi R. Einaudi, US Permanent Representative to the Organization of American States, before the Subcommittee on Western Hemisphere Affairs and the Subcommittee on Human Rights and International Organizations of the House Foreign Affairs Committee, Washington, DC, May 1, 1990.*

## Potential and Uncertainty

Speaking last November to an Organization of American States (OAS) General Assembly filled with representatives of the elected governments of Latin America and the Caribbean, Secretary Baker said that he and President Bush believe that we and they "have it in our power to create, here in the Americas, the world's first completely democratic hemisphere—a hemisphere, as the charter of the OAS envisions, where human rights are respected and the rule of law prevails, where all nations live in peace and none lives in fear of aggression."

This is not a utopian vision. The bitter troubles of Central America are not over, but there is clearly movement toward conflict resolution

on a basis of democracy and national reconciliation. In the Caribbean, Haiti has fresh hope for democracy; only [Fidel] Castro's Cuba remains stubbornly resistant to the winds of freedom. In South America, Brazil and Chile this year completed democratic transitions with new presidents elected directly by the people. In January, Canada joined the OAS as a full member. This June, the annual OAS General Assembly will meet in Paraguay, whose government is a symbol of political and generational change.

Uncertainties abound, however. The hemisphere has largely rid itself of dictatorships, but even elected leaders still face ominous clouds of poverty and frustrated development. The momentous changes sweeping Eastern Europe are altering the structure of international politics as we have known it since the end of World War II, but the nature of the new order remains unclear. Where will the Americas fit? Many observers are pessimistic, both about Latin America after a decade of lost growth and about the outside world's continuing interest in the region's development.

Finally, [Western Hemisphere Affairs Subcommittee] Chairman [George W.] Crockett last July noted one problem central to this hearing. The OAS is financially broke, its relevance undermined by a generation of misuse and disuse by member governments.

This year marks the centennial of the first International Conference of American States (1889–90) in Washington, presided over by US Secretary of State James Blaine. The International Union of American Republics, staffed by the Commercial Bureau of the American Republics, became the Pan American Union in 1910. The modern Organization of American States is based on the 1947 Inter-American Treaty of Reciprocal Assistance (the "Rio Treaty") and the Organic Pact adopted in 1948 in Bogota and most recently updated at Cartagena in 1985.

Today, the OAS has 32 members. Its activities are consistent with Article 52 of the United Nations Charter, which recognizes "regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action."

## A Renewal Has Begun

Few observers thought a year ago that the OAS would be deeply involved in such weighty matters as Nicaraguan elections, [Manuel] Noriega, or effective peacekeeping and antidrug activities. Take just four examples:

- On April 18, 1990, the Sandinista government of Nicaragua and the Nicaraguan Resistance agreed to a cease-fire with the full participation and support of the incoming Chamorro government and witnessed by Cardinal Miguel Obando y Bravo. The cease-fire was negotiated and signed in the OAS offices in Managua.

The cease-fire calls for UN forces (the UN Observer Group in Central America—ONUCA—with Venezuela in a key role) to collect weapons. Meanwhile, OAS teams are to provide humanitarian assistance to the demobilizing resistance forces.

Earlier, OAS election observers were decisive in ensuring the freedom of the February 25 elections. Two Members of the US House of Representatives Subcommittee on Western Hemisphere Affairs, Representatives Porter Goss and Harry Johnston, were among the 434 international observers and experts mobilized by the OAS to create the climate of confidence that enabled the will of the Nicaraguan people to be respected.

- Last February, the summit between President Bush and the Presidents of Colombia, Bolivia, and Peru marked a powerful new antidrug consensus.

On April 17-20, 1990, Attorneys General and Ministers of Justice from throughout the hemisphere gave concrete impetus to the war on drugs. They agreed to complete ratification of the 1988 UN antinarcotics treaty by year's end. They approved specific legislation controlling essential and precursor chemicals and machines used in the manufacture of cocaine and urged individual countries to adopt it as soon as possible. And they established an experts group to develop model common legislation against money laundering and illegal assets.

The meeting was organized by the OAS Drug Abuse Control Commission (CICAD), which had earlier negotiated the model legislation on chemicals and will now develop the legislation on money laundering.

- On November 9, 1989, just as public attention focused on the opening of the Berlin Wall, the Inter-American Commission on Human Rights (IACHR) issued a devastating *Report on the Situation of Human Rights in Panama*. The OAS report systematically documented the Noriega regime's abuses of human rights after it suspended rights established in the Panamanian constitution on June 10, 1987. The IACHR's conclusion: The puppet government installed by Noriega on September 1, 1989, was "devoid of constitutional legitimacy."

- On October 6, 1989, a citizen of Trinidad and Tobago died in a shooting incident between a Trinidad and Tobago fishing trawler and a patrol boat of the Venezuelan national guard. At the request of the two governments, OAS Secretary General Joao Clemente Baena Soares appointed three experts, two from the OAS Secretariat and one from the Royal Canadian Mounted Police, to undertake an impartial investigation. By January, the recommendations of the OAS team had led to the conflict's resolution to the satisfaction of all concerned.

Trinidad and Tobago's minister of external affairs wrote that the OAS had again demonstrated its value as "the ideal forum of the Americas for the peaceful resolution of conflicts."

### US Policy and the OAS

From the start of his Administration, President Bush and his Secretary of State have articulated a new emphasis on multilateral diplomacy.

On March 30, 1989, having just concluded a bipartisan accord between the executive [branch] and the leaders of the United States Congress, Secretary of State Baker told a distinguished assemblage of democratic leaders from Latin America and the Caribbean that "we need each other now as we have never before. . . . If we are together en-

gaged in a joint venture north and south to advance and defend democracy, then we must each do our part—collectively where possible—to create new mechanisms and strengthen existing ones to defend human rights, to guarantee the integrity of elections, and to establish sanctions against those who threaten democratically elected governments through violence or through coups."

"If you ask the United States," the Secretary said to his fellow members of the OAS, "to forego unilateral initiatives and to work, instead, in good faith with the democratic nations of Latin America in a new cooperative diplomacy to support democracy, then we ask you to join us in good faith to turn the promise of that diplomacy into a reality throughout this hemisphere."

On March 22, 1990, Assistant Secretary of State Bernard Aronson told the Committee on Appropriations of the House of Representatives that the United States perceived four tasks in its relations with Latin America and the Caribbean: "Consolidating and building on democratic gains, advancing economic development, promoting peace, and ridding our region of the scourge of drugs."

The OAS is contributing in all four areas. But the OAS also serves as a critical "environmental" factor. A climate of effective regional communication can only start with a clear statement of national interests. The precedent was established at the United Nations by Senator Moynihan and Ambassador Kirkpatrick. [Daniel Patrick Moynihan and Jeane Jordan Kirkpatrick, former US Permanent Representatives to the United Nations.] Silence is often not golden. There are cases to make, interests to defend. Words count. Resolutions matter.

By making clear our interests, we make them understood and position ourselves to seek as much common ground as possible with others to advance them. The OAS is an association of sovereign states. No matter what extraordinary changes are wrought in the world, this will still be a hemisphere of nation states. The OAS makes possible consultations and harmonization of interests

and instruments among the countries of this hemisphere on a basis of respect for sovereignty.

### The OAS Fumble on Panama

On December 20, 1989, US military forces went into action to defend US citizens in Panama. The action was a sharp reminder that multilateralism does not always work. The OAS, to which the United States and other countries had turned after the brutal annulment of the May 7, 1989, elections, failed. Its actions did not begin to match the agony of the Panamanian people, their initial faith in the OAS, or the hopes of the international community.

A mission of foreign ministers expended much effort but was unable to negotiate Noriega's departure from power. The result left the people of Panama—and the US citizens fulfilling treaty obligations to operate and defend the Panama Canal—subject to abuse and, for some, death at the hands of the Noriega dictatorship. Disguised initially by appeals to the doctrine of nonintervention, this failure of diplomacy became evident to all when the United States was ultimately forced to military action.

The Noriega case did show that the OAS could be used by member governments to communicate their concerns to a broader public. On August 31, 1989, the eve of the September 1 deadline established in the Panamanian constitution and recognized by the OAS meeting of foreign ministers for the transfer of power, the United States called for a special session of the Permanent Council. Acting Secretary [of State] Lawrence Eagleburger delivered a powerful, detailed statement, "The Case Against Panama's Noriega." The US Mission distributed facsimiles of the Florida indictments and copies of Noriega bank records in Europe. Together with the damning OAS human rights report, these OAS activities led to the isolation of Noriega's Panama and the withdrawal of ambassadors from Panama by many OAS members.

Even so, OAS inaction was deeply disappointing. Part of the problem was Noriega's obduracy, part of it the

unwillingness of OAS member governments to make the admittedly tough decisions involved. The lowest-common-denominator approach that ensued made clear the hemisphere's distaste for Noriega and his brand of government, but failed to provide any visible consequences for his defiance of hemispheric opinion.

Our prolonged and patient effort to deal with the crisis in the OAS helped mitigate adverse reaction to the use of military force when it was finally required to defend the lives of US citizens. The OAS resolution of December 23 criticized the US action unequivocally, but "deeply regretted" rather than condemned. Conscious that responsibilities were shared, Venezuela and five other Caribbean Basin nations abstained.

### The OAS Recovery on Nicaragua

OAS election monitoring in Nicaragua contributed decisively to the fair outcome of the February 25 elections. The presence of observers from the UN and the OAS as well as those organized by [former] President [Jimmy] Carter, the Center for Democracy, and other activist groups, permitted the voters to express their will without fear and made it impossible for the results to be ignored.

The OAS observation system was both the largest and the most pervasive of the various international efforts. It was supervised personally by Secretary General Baena Soares, who did not delegate his authority, but instead traveled repeatedly to Nicaragua to keep in touch with the many leaders involved.

The OAS established offices in all nine electoral Nicaraguan districts. This basic OAS infrastructure provided communications, housing, transport, data handling capabilities, and a parallel voting tabulation system nationwide. Beginning in August, 1989, personnel from the OAS Secretariat in Washington took turns in staffing the offices in Nicaragua.

Secretary General Baena Soares informed the Permanent Council that the success of the program was due to

the trust extended it by the people of Nicaragua, to the high standards of the technical infrastructure the OAS put in place with support from the Pan American Health Organization (PAHO) and the Inter-American Institute for Cooperation on Agriculture (IICA), and to the support of OAS member states who provided observers, technical experts, and advisers.

The United States contributed key financing (\$3.5 million) and technical advice. (Danny McDonald of the Federal Elections Commission was among the Secretary General's personal advisors, along with election tribunal members from Brazil, Costa Rica, and Venezuela). Last but not least, as noted earlier, Members of Congress joined legislators from other hemisphere countries as observers.

In response to requests from both incoming President [Violeta] Chamorro and outgoing President [Daniel] Ortega, Secretary General Baena Soares kept OAS observers in Nicaragua after the election. Meanwhile, he and UN Secretary General [Javier] Perez de Cuellar negotiated terms of reference for the joint Verification and Support Commission (CIAV) called for by the Central American presidents to verify compliance with the Tela and subsequent agreements. To assist with the voluntary demobilization, repatriation, and resettlement of the Nicaraguan Resistance, OAS-CIAV assumed responsibility for Nicaragua, UN-CIAV for Honduras and Costa Rica.

Participation in electoral observation and in the post-election transition subjected OAS staff members to numerous hardships, particularly in rural areas, but their common reaction was that in the wake of the demoralizing 30% reduction in force of early 1989, no better way could have been found to remind themselves and others of the fundamental mission of the OAS.

### Human Rights

The independent OAS IACHR is the conscience of the hemisphere. OAS involvement in human rights is based upon the 1948 American Declaration of the Rights and Duties of Man and



the 1969 American Convention on Human Rights. The IACHR and the Inter-American Court on Human Rights (CIDH) give the OAS an active and at times forceful role in promoting and protecting human rights. Through both persuasion and published reports on human rights infringements, the commission has been instrumental in improving member government practices. On occasion it has directly helped resolve conflict situations.

Members of the IACHR are elected in their own right, not as representatives of governments. The autonomy of the commission is further enhanced by its prerogative to initiate human rights investigations without the approval of the Secretary General or the Permanent Council. A US citizen, John Stevenson, is currently one of seven commissioners; another US citizen is acting executive secretary.

The IACHR prepares an annual report with chapters on countries with human rights problems in general and on individual cases, as well as special reports. In its last 14 years, the commission has effectively challenged abuses in Panama, Nicaragua, Cuba, Chile, El Salvador, Guatemala, Suriname, Haiti, and Paraguay, among others. The 1989 special report on Panama was an important factor in galvanizing international public opinion against the Noriega regime. The IACHR also played a key role in the release of thousands of political prisoners in Nicaragua.

On February 23, 1990, the OAS Permanent Council adopted a resolution mandating an in situ visit on the human rights situation in Haiti. The IACHR visited Haiti April 16–20; its report will be part of a broad OAS and UN effort to support elections by the new Haitian government.

### Other Key Activities

**Drugs.** The OAS Inter-American Drug Abuse Control Commission (CICAD) was established in 1986, first met in April 1987, and began its first activities in 1988. Under the leadership of Irving Tragen, an American citizen, the CICAD has

overcome the stereotypes associated with labels such as “producing, transit, and consuming” countries and galvanized measures such as those agreed upon at Ixtapa, Mexico, last month.

CICAD’s programs focus on regional approaches to legal development, public awareness, and prevention. One project seeks to mobilize private sector support for antinarcotics programs, another to enlist schools in preventing drug abuse, yet another to strengthen national and international law on seizure of traffickers’ assets and control of precursor chemicals. In addition to support via the OAS budget, the United States has made several special grants. The Inter-American Development Bank (IDB), the European Community, and the Italian, Japanese, and Canadian governments are currently considering grants to CICAD.

**Technical assistance.** Responding to a major demand of less developed members, OAS programs train over 2,000 specialists annually (91,000 since its inception), primarily in the US but also at 23 inter-American centers. The United States continues to be the major contributor, but Argentina, Brazil, Mexico, and Venezuela have joined the United States as net donors. OAS feasibility studies for large-scale projects in regional development, environment, and education are endorsed and funded by the IDB. Wider recognition of OAS effectiveness has attracted contributions from nonmembers, including Spain, Italy, Holland, Israel, and France, anxious to take advantage of the favorable cost-benefit ratio achieved by the OAS. The OAS manages a major program of feasibility studies on modernizing telecommunications throughout Latin America and the Caribbean. The US private sector has also joined in. An International Business Machines (IBM) contribution of \$1,500,000 (not including in kind contributions) has helped the OAS put together a highly sophisticated trade information program now at work facilitating an expansion of north-south trade.

**Program development.** The foregoing discussion illustrates the OAS’s capacity to adjust priorities and institutional structure to meet changing demands and requirements. What is new is the Secretary General’s success in mobilizing the other inter-American specialized organizations—PAHO and IICA—in joint efforts such as election monitoring in Nicaragua. The OAS, PAHO, and IICA are continuing their close cooperation with CIAV. OAS experts experienced in Nicaraguan conditions have prepared detailed projects for recovery in education, job training, health services, and agriculture.

**Specialized organizations.** The OAS directly supports:

- The Inter-American Defense Board (IADB), created during World War II to plan and coordinate collective hemispheric defense. It advises the OAS on defense matters, and has coordinated peacekeeping operations.

- The Inter-American Defense College (IADC) is supervised by and funded by the IADB. It strengthens military professionalism and augments US international military training programs. The college annually trains about 60 field grade officers, many of whom reach leadership positions in their respective services.

- The Inter-American Children’s Institute (IACI) is concerned with problems of mothers, adolescents and families, including the growing number of “street children.”

- The Inter-American Commission of Women (CIM) is concerned with women’s rights and their integration into development and decision-making processes. CIM research and seminars have focused on women and politics (1988), women and employment (1989), and violence against women (1990).

Other organizations associated with the OAS are financed outside the OAS budget:

- The PAHO, with resources of \$67 million (1988), has contributed significantly to protecting the United

States from communicable diseases and promoting improved sanitation and health conditions throughout the hemisphere.

- The IICA, with resources of \$34 million (1989), has worked closely with the US Department of Agriculture in preventing threatening animal and plant diseases from entering the United States and in helping members develop food production.

- The Pan American Institute for Geography and History (PAIGH) has major geodetic and cartographic programs of its own and facilitates cooperative relationships between US agencies (such as the Defense Mapping Agency and the National Ocean Service of the National Oceanic and Atmospheric Administration) and other countries in such vital areas as safety of flight.

- The Inter-American Indian Institute (IAII) has been helpful in providing the US Department of Interior's Bureau of Indian Affairs with a vehicle for cooperation with other Latin American countries with major Indian populations.

Finally, one organization created and supported by the OAS receives financial support largely from US corporations and other private sources. The Pan American Development Foundation (PADF) is a Section 201(c)(3) entity with a subsidy from the OAS and some US Agency for International Development (AID) funds; corporate donors provide over one-half of its resources. It has channeled over \$100 million from the private sector into development projects which mobilize private sector support in recipient countries.

The OAS and its specialized organizations frequently carry out programs for other organizations, such as the UN Development Program (UNDP), the UN Environment Program (UNEP), and the World Bank, on a contract basis. The OAS has received some \$6 million annually in recent years for these purposes. External entities recognize the value of OAS management of technical assistance and its effectiveness.

## The Financial Crisis is Acute

A remarkable aspect of the enhanced role of the OAS in the past several months is that it took place despite serious underfunding. The US paid only \$18 million of its 1989 assessed quota payment of \$40 million to the OAS. (The US assessment for the OAS is 66%; the United States accounts for 85% of the total GNP of all OAS members.)

This caused a severe cash flow crisis which the OAS met by a 30% personnel cut in January 1989, combined with one-time reductions in program activities. From November 1988 to March 1989, 293 employees either resigned voluntarily (205), were on fixed-termed contracts allowed to lapse (76), or retired (12). The cuts, worked out in close cooperation with member states including the United States, fell roughly proportionately on nationals of all member countries. Total OAS personnel in 1974 numbered 1,577; by the end of 1989, the number was 654—a 55% reduction in 15 years. At present, the United States provides 14% of the entire OAS staff and 20% of its professionals—easily the largest national group among OAS personnel.

Despite these draconian cutbacks, arrearages and the consequent lack of reserves severely limit flexibility and threaten to undermine the work of the OAS on almost every front. For example, the \$1.5 million the OAS has received for its work facilitating the peaceful demobilization and reintegration of the Nicaraguan Resistance will run out later this month.

Just last week, Assistant Secretary of State John R. Bolton told the House Subcommittee on International Organizations that “we must reestablish America’s image as a credible, reliable participant in international organizations. To do so we must fully meet our financial obligations when they are due.”

The Administration is asking the Congress for full funding of our FY 1991 quota assessment to the OAS as well as \$38 million for arrears, which, if appropriated, would be paid in equal installments of 20% a year for 5 years. This would fulfill the Admini-

stration’s determination to use multilateral diplomacy, where feasible and appropriate, to resolve regional problems and to engage our neighbors on topics of hemispheric concern.

Other countries are showing their commitment to the OAS. Argentina, Ecuador, Mexico, Paraguay, and Venezuela are all hosting important meetings this year. In September 1989, Argentina paid most of its \$12 million arrears. This year, Canada’s accession to the OAS in January was testimony to the benefits of membership and will further enhance effectiveness.

## The Second Century

Imagine the number of vital issues, from drugs to economic development, from mutual security to the environment, on which progress would be more rapid if we succeed in building on a democratic foundation where the rights of individuals and of governments are not in conflict.

As the OAS enters its second century, one of its enormous strengths is that its membership is overwhelmingly made up of states that organize themselves in ways that are democratic. The test of membership is becoming democracy as well as geography. This is a stark contrast to the situation just a generation ago. Moreover, the flexibility of democracy is a strength that is vital to today’s rapidly changing world. This hemisphere has come a long way in the evolution toward democracy and in the suffering that any evolution requires. Compare the odysseys of Argentina, Brazil, Chile, or Nicaragua in the past decade to those of the countries of Eastern Europe now beginning to face the problems of attempting to construct a democratic polity.

Our challenge, a very difficult but inspiring challenge, should be to make the second century of the OAS the century of democracy. Already others in the region see the need to reconcile the principle of nonintervention, one of the traditional cornerstones of the inter-American system, with the principles of self-determina-

tion and representative democracy, both of which are contained in the OAS charter and both of which have been given new urgency by today's needs. Speaking at a special session of OAS Permanent Council on April 27, 1990, President Carlos Andres Perez of Venezuela declared himself a convinced believer in "collective unarmed intervention for the positive and peaceful resolution of conflicts."

On March 28, 1990, Assistant Secretary of State Aronson was explicit to the Senate Foreign Relations Committee: "The conventional wisdom holds that our historic mistake in Latin America has been interventionism. I would argue the opposite is true. Our historic mistake—when we have made mistakes—has been to fail to rally early and boldly and effectively to support and extend democracy in its hour of need."

The Organization of American States already serves as the basic sounding board of the western hemisphere. As an association of sovereign states, its structure makes it an inherently democratic sounding board. The OAS has no privileged members, no security council, no vetoes. Every member has one vote, the same opportunity to be heard. Visitors to OAS Permanent Council meetings sometimes comment that they can seem almost familial in spite of their formality. And that is another strength. Even with the entry to membership over the past generation of a dozen countries of the Commonwealth Caribbean, OAS membership is still small enough to be manageable. No one need be silenced in the name of efficiency. The OAS is the natural forum to turn democracy in individual countries into democratic solidarity as a source of hemisphere-wide strength.

### Still Far to Go

For some years, important issues have been considered outside the OAS—or not considered at all. Now 100 years old, the inter-American system is turning a corner, and there is an exciting new focus for the 1990s and beyond:

- Promoting and assisting democratic transitions and strengthening democratic institutions are now a prime concern of the OAS.

- The IACHR—the most respected human rights organization of any multilateral body—must continue to keep human rights at the center of the hemisphere's collective conscience.

- In the drug wars, the OAS is strengthening multilateral cooperation and breaking new ground, most recently in precursor chemicals and money laundering. As President Carlos Salinas de Gortari of Mexico told the OAS ministerial conference 2 weeks ago, "We are encouraged by the spread of a generalized awareness that we have a common enemy and by the emergence of a balanced and mature vision of how to attack it internationally."

Similar cooperation is foreseeable in other areas:

**The environment.** The June 1990, OAS General Assembly will consider a proposal to create an "Inter-American System for Nature Conservation." Because of the great interest in environmental issues among member countries, the General Assembly might decide to call a specialized conference of experts to develop a program of action.

**Education.** Democracy, economic development, and cultural sensitivity require substantial investments in

education. The social, economic, and educational problems which cause so many young people to drop out of school waste human potential. Curricula need to be redesigned and teachers retrained. OAS multinational programs in basic education and education for work provide mechanisms for all member countries to share successes and to avoid repeating costly mistakes.

**Integration.** The Caribbean, Central America, the Andes, the Rio de la Plata area—the Americas have long been differentiated into natural subregions. So long as governments were despotic, so long as frontiers meant boundary disputes, and so long as individual countries could attempt to cut themselves off from progress, integration remained a dream. The spread of democracy gives the OAS new vigor as a forge of common consciousness and regional and subregional cooperation.

The OAS is by definition not a single-issue or single-country organization. But all these areas—plus the important work in trade promotion and democratically focused military education and training—are of deep national interest to the United States. All require positive, practical, productive, and patient contributions if we are to deal with the issues of the next century in a manner befitting the potential of the new world. ■

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